



March 14th, 2019

Dear Mayor Lyles and Members of City Council,

On behalf of the hundreds of commercial developers, multifamily developers and home builders REBIC represents in the City of Charlotte, I'd like to provide you with our feedback on the proposed Transit-Oriented Development (TOD) zoning ordinance.

REBIC and our members have been closely engaged in the process of drafting the new TOD ordinance over the past 18 months through the City's Ordinance Advisory Committee. We would like to commend your planning staff, particularly Monica Holmes, for their willingness to incorporate many of our suggestions into the ordinance. And while we are pleased with many aspects of the TOD, we remain concerned that its limitations on building height could negatively impact economic development in Charlotte's transit corridors.

The ordinance currently caps base height at a maximum of 130' (about 13 stories) in the TOD-UC district, its most dense, and offers developers additional height in exchange for bonus points that advance other City objectives, like affordable housing, transportation improvements or energy efficiency. While we support each of these policy goals, we believe City Council should do everything possible to encourage density in its transit corridors, and not restrict itself from considering economic development opportunities that would otherwise be limited by the building height caps in each TOD district.

Therefore, **we would ask you to amend the ordinance on page 81 to allow Building Height to be modified through the use of the TOD-EX District** (strike the words, 'Maximum Height Regulations,' in item 2 under 15.12.2 B). This approach would give developers the opportunity to seek a conditional approval through Council for projects that do not meet the building height limitations for a particular TOD district, while ensuring the community has a voice in the process. This modification would ensure that unique development projects have a pathway to approval outside the by-right process outlined in the ordinance. Without this option, we fear certain projects may build outside the transit corridors, where infrastructure is less able to accommodate the density, or not move forward at all.

Thank you for taking time to consider this request. We look forward to continuing to work with you and your planning staff on the balance of the Unified Development Ordinance in the coming months.

Sincerely,

Joe Padilla
Executive Director